IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 9232 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE AKSHAY H.MEHTA

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

PATEL VAISHALI HITESHKUMAR - Petitioner(s)
Versus
UNION OF INDIA & 1 - Respondent(s)

==========

Appearance :
MR.SUBHASH G BAROT for Petitioner(s) : 1,
NOTICE NOT RECD BACK for Respondent(s) : 1 - 2.
MR HARIN P RAVAL for Respondent(s) : 1,
MS RV ACHARYA for Respondent(s) : 2,

==========

CORAM : HONOURABLE MR.JUSTICE AKSHAY H.MEHTA

Date : 20/04/2007

ORAL JUDGMENT

Rule. Ms. RV Acharya, learned counsel waives service of rule on behalf of respondents.

In this petition the relief that has been claimed by the petitioner is

for issuance of direction on respondents to consider her application for change of birth date in the passport and to correct it on the basis of the birth certificate of the petitioner. Birth certificate is annexed to the petition at Annexure-B. In the said document petitioner's birth date is mentioned as "12/10/1976". However, in the passport as also in the school leaving certificate, her date of birth date is shown as "12/08/1976". Hence, need to have correction in the passport has arisen.

2. Having heard Mr. SG Barot, learned advocate for the petitioner and Ms. RV Acharya, learned counsel for respondents and having carefully considered the contents of the petition as well as the documents annexed thereto, it appears that the following direction can meet the ends of justice :-

The respondents are directed to consider the application of the petitioner for necessary correction in the passport on the basis of the birth certificate. Of-course, the respondent will be entitled to make due scrutiny before carrying out the correction and correction will be made only if everything is found in order. Since this exercise is required to be carried out because of the fault on the petitioner's side, the petitioner is directed to pay Rs.2,500/- [Rupees Two Thousand Five Hundred only] by way of costs to the respondent. Petition is granted. Rule is made absolute.

[Akshay H Mehta, J.]

* Pansala.